

I could forget to think about elephant if somebody told me that if I drop a piece of sand on the table it will turn into gold if I don't think about elephant. One thing carries with it the other, and by the way that is true. If anybody can drop a grain of sand or any other object on a table from a height of four feet exactly without thinking about elephant it will turn into gold, but if when you drop it you think about elephant, it is over. I have tried it but I always think about elephant. Now when the officer makes the stop, it is very easy to comply with what we have already put in the law by notifying a person of this option. I know there is a lot of hostility and concern directed towards those people who imbibe of alcoholic beverages to excess, then drive vehicles and kill people, maim people, cause property destruction and all other types of terrible things but an accusation and arrest is not a conviction. Even if such a person is in a state, a physical state which will lead to a conviction if that state can be established through competent evidence in court, that person has rights under the Constitution. I don't drink at all so I am not doing this to benefit myself. I don't know anybody personally who has been convicted of drunk driving. I don't have any friends that I am doing this for. I am doing it because we have put into the law a recognition of a principle that a person cannot waive a right unless he or she knows that the right exists. Even people accused of driving while intoxicated do have rights under the Constitution and I think what we need to do is make certain that those rights are vindicated. I don't think it is so important to procure a conviction of DWI that we should abrogate constitutional rights. Many people say when a constitutional plea is offered that the person who pleads that constitutional right may be exonerated as a result of a technicality. A constitutional right is never a technicality. The Constitution is what people swear by. The Constitution is the bedrock of the laws of this country. The Constitution is a check against the types of laws that Legislatures can enact that might be oppressive or bring about injustice on the citizens. So what I am asking that you do is that you open your mind if you can and realize that even somebody accused of the terrible offense of driving while intoxicated, and I think that is a terrible